

## **Taking a Comprehensive Approach to Reducing Gun Violence**

From the time he was a prosecutor in West Baltimore—through his tenure as a city councilman, mayor, and now as governor—Martin O’Malley has been committed to protecting families and reducing violent crime.

During his two terms as mayor, Baltimore became a national model for improvement in public safety. Mayor O’Malley instituted CitiStat -- a contemporary, high-tech, performance-based system that zeroes in on areas of underperformance, and uses computerized databases to track targets and results. Though the use of CitiStat and other innovative crime-fighting strategies—and because of the hard work of police and Baltimore neighborhood citizens—Baltimore saw an approximately 40% reduction in violent crime while O’Malley was mayor. This was among the biggest reductions of any large city in America during that time. And Maryland has made tremendous progress during O’Malley’s years as governor as well: violent crime, homicides and property crime have been driven down to 30-year lows.

But there is always more we can do. The O’Malley-Brown Administration will pursue a public safety agenda that focuses on three principal areas: (1) gun safety; (2) school safety; and (3) improving mental health safeguards and services. The Governor previewed his proposals on January 14:

- The plan “would help reduce the flow of weapons to criminals.” -- The Baltimore Sun, 1/14/13 (<http://www.baltimoresun.com/news/opinion/editorial/bs-ed-omalley-guns-20130114,0,5543082.story>)
- Gov. O’Malley “has always been a strong leader on gun violence... He was focusing on tackling gun crime [as Mayor], and certainly as governor now he is doing exactly the same thing for the people of Maryland.” -- Hon. Michael Bloomberg, Mayor of New York City, 1/14/13
- “The logic of fingerprinting and licensing is compelling, given that many handguns used by criminals are procured by ‘straw buyers’ as a favor or for a price—often shortly before the weapons are deployed in the commission of a crime.” -- The Washington Post, 1/15/13 ([http://www.washingtonpost.com/opinions/mr-omalley-prepares-a-tough-package-of-gun-laws/2013/01/15/461c3be6-5e98-11e2-9940-6fc488f3fecf\\_story.html](http://www.washingtonpost.com/opinions/mr-omalley-prepares-a-tough-package-of-gun-laws/2013/01/15/461c3be6-5e98-11e2-9940-6fc488f3fecf_story.html))
- “I applaud Governor O’Malley’s leadership to prevent gun violence.” -- Professor Daniel Webster, Director of the Center for Gun Policy and Research at the Johns Hopkins Bloomberg School of Public Health, 1/18/13
- “I commend Governor O’Malley for his leadership in working to make communities across Maryland safer by initiating measures to reduce gun violence.” -- Jim Johnson, Chairman of the National Law Enforcement Partnership to Prevent Gun Violence, and Baltimore County Police Chief, 1/18/13
- “The State of Maryland is taking meaningful steps to help educators strengthen their school security and emergency preparedness.” -- Kenneth Trump, President of National School Safety and Security Services, 1/18/13
- “The Maryland Psychiatric Society applauds the thoughtful approach that Governor O’Malley has taken in addressing the issues of violence and mental illness.” -- Dr. Elias Shaya, President of the Maryland Psychiatric Society, and Chief of Psychiatry at Good Samaritan Hospital, 1/18/13

Here are more details on the contours of the proposal:

## **I. Gun Safety**

*Banning Assault Weapons* -- Maryland currently bans only 15 enumerated assault pistols, but allows for the sale and possession of high-capacity, military weapons designed for the greatest human carnage. This legislation would establish a ban on all assault weapons.

*Limiting Magazine Capacity* -- The legislation would also reduce the allowable magazine capacity from 20 rounds to 10.

*Licensing* -- This proposal would require a license for every handgun purchase with age restrictions; mandatory safety training requirements; mandatory fingerprinting; an attestation that a person is not prohibited from purchasing or possessing a gun; and a waiver for a full background check. This would be in addition to the current background check done by the Maryland State Police (MSP) and MSP would continue to do background checks for every handgun purchase. Note: hunting rifles and shotguns will be carved-out from this licensing requirement. Research indicates that a license-to-purchase requirement is associated with significantly lower levels of intrastate gun trafficking. A 2009 paper in the *Journal of Urban Health* examined data in 54 U.S. cities and found that: (1) intrastate gun trafficking was two to four times higher in cities located in states without gun sales accountability measures; and (2) intrastate gun trafficking was 68% lower in cities where the state had a license-to-purchase requirement. Seven states now require fingerprinting before a firearm purchase: California, Connecticut, Hawaii, Massachusetts, Minnesota, New Jersey, and New York.

*Protecting Second Amendment Rights* -- These are common-sense gun safety proposals that will not infringe on the rights of law-abiding citizens: (1) the licensing plan carves out hunting rifles and shotguns in order to respect the rights and traditions of hunters and sportsmen; and (2) these proposals do NOT ban handguns. Law-abiding Marylanders who want to possess a handgun because they think it's necessary to protect their family would continue to have the right to do so. Of course there are going to be gun makers and other special interests that will oppose any effort to improve gun safety laws, but these are common-sense steps that will protect families.

*Strengthening Existing Law Prohibiting Possession* -- This proposal would strengthen existing Maryland law, which now prohibits possession if a person "suffers from a mental disorder . . . and has a history of violent behavior" by adding: (1) individuals currently under guardianship protection due to an inability to care for themselves or manage their own affairs; and (2) individuals civilly committed if the judge makes a determination that the individual cannot safely possess based on credible evidence of dangerousness to others.

*Restricting Ammunition Possession* -- Persons prohibited from possession of regulated firearms can still legally obtain ammunition. This proposal makes it a crime for prohibited persons to possess ammunition for weapons they cannot legally possess.

*Registering Weapons from Other States* -- Maryland law currently only requires registration for

weapons obtained in Maryland. There is no registration requirement for persons who move into Maryland with their weapons. This proposal requires that persons who move into the State register their guns within a certain time frame.

*Automating Gun Application Process* -- The way a person buys a gun is by submitting an application to a dealer, who submits the application to MSP for a records check. Under current law, gun dealers have the option of sending applications to MSP by means of certified mail, fax OR automated means. This proposal mandates automation, which will streamline the process and ensure greater accuracy.

## **II. School Safety**

*Enhancing School Security* -- The Governor's FY14 budget proposal dedicates \$25 million to school security enhancements. Funding will support enhancements such as cameras at entrances, automatically locking doors, shatterproof glass, and buzzer entrance systems.

*Establishing a Maryland Center for School Safety* -- The Center, which will be located at Maryland's fusion center, will be a partnership with federal, state, and local law enforcement. The Center would work with all public school and law enforcement stakeholders to ensure a comprehensive approach to school safety, including disseminating information on best practices, providing training and technical assistance, and gathering meaningful data on school safety issues.

*Emergency Plan Review* -- This initiative would direct the Maryland State Department of Education, working with the Maryland State Police (MSP), to review all school district emergency plans to identify gaps (including any in educator training, planning and drills, and auditing of plans), and revise statewide regulations to close those gaps.

*Higher Education Emergency Plan Review* -- The Maryland Higher Education Commission, working with MSP, will be directed to review emergency plans of higher education institutions and address safety issues with institutional presidents.

## **III. Mental Health Safeguards and Improvements in Mental Health Services**

*Data Sharing* -- This plan will provide consistency between the data available to state and federal law enforcement officials for background checks. The goal is to ensure that state law enforcement officials and federal officials have the same data available to them.

*Mental Health Treatment* -- Our goal is to keep guns away from people who may be dangerous to themselves or others as a result of mental illness. We will pursue various initiatives to improve the delivery of mental health services in Maryland and to provide for earlier intervention to reduce the potential for violent behavior. Those initiatives include:

- (i) *Expanding crisis intervention teams*, which include trained police officers and mental health professionals who together respond to mental health emergencies, with the goal of preventing or defusing dangerous or threatening emergencies involving individuals experiencing a mental health crisis in the community; and

- (ii) *Expanding crisis response services*, which offer crisis and referral service hotlines; mobile crisis teams; trauma and critical incident response; emergency respite; emergency department and detention center diversion programs; care coordination and stabilization; and referrals to long-term services and resources.
- (iii) *Establishing a Center for Excellence on Early Intervention for Serious Mental Illness*, which will advance understanding of effective early intervention; program components will include evaluations and treatment, telephone consultations with primary care and other clinicians a hot line for the affected individual or their family, and an education program to increase awareness of warning signs of clinical high risk mental states, manifestations of psychosis, and referral mechanisms.

*Establishing a DHMH-led Task Force to Improve Continuity of Care for Individuals in the Community Mental Health System* -- A risk factor for poor outcomes and, in some cases, potential violence, is disruption of effective outpatient mental health treatment. The task force will review Maryland law and practice to identify ways to strengthen access and adherence to treatment to improve health outcomes and reduce the potential for violent behavior.